

FEDERAL SUBRECIPIENT OR VENDOR DETERMINATION CHECKLIST

Reference OMB Circular A-133.210

(To be completed by DHS staff)

Name of Contractor: _____ Division: _____

Name of Person Completing Checklist: _____ Date: _____

Answer Question Below to Determine if Checklist Must be Completed	Yes	No	Comments
Will DHS be using federal funds to pay for any part of this DHS contract?			If " No ," stop now; further completion of checklist not required. If " Yes ," complete checklist questions below based on the contract to be processed.

CHECKLIST QUESTIONS

(Complete both lists to ensure accuracy)

SUBRECIPIENT -- Check YES or NO for each question below (*"Yes" indicates the Contractor has the characteristics of a Subrecipient*).

YES	NO	Will the Contractor:
		1. Determine who is eligible to receive what Federal financial assistance?
		2. Have its performance measured against whether the objectives of the Federal program are met?
		3. Have responsibility for programmatic decision-making?
		4. Have responsibility for adherence to applicable Federal program compliance requirements?
		5. Use the Federal funds it receives under the contract to carry out a program of the Contractor as opposed to providing goods or services for a program of DHS?

VENDOR -- Check YES or NO for each question below (*Under this list "No" indicates the Contractor has the characteristics of a Subrecipient*).

YES	NO	Does the Contractor:
		1. Provide the goods and services within normal business operations?
		2. Provide similar goods and services to many different purchasers?
		3. Operate in a competitive environment?
		4. Provide goods or services that are ancillary (secondary) to the operation of a Federal program?

Based on checklist results, the Contractor's characteristics under the two checklists above indicate the Contractor is a (*Circle one*):

SUBRECIPIENT

or

VENDOR

In making the determination of whether a subrecipient or vendor relationship exists, the substance of the relationship is more important than the form of the agreement. It is not expected that all characteristics will be present and judgment should be used in determining whether the Contractor is a subrecipient or vendor. If you have questions as to how the Contractor should be classified, check with your Division fiscal officer.

FOR CONTRACTORS DETERMINED TO BE SUBRECIPIENTS, SEE THE ADDITIONAL INSTRUCTIONS ON THE BACK OF THIS SHEET.

If the Contractor is determined to be a Subrecipient, the following information **must** be included in the Contractor's contract:

- A. The CFDA title and number;
- B. The award name and number;
- C. The award year;
- D. If the award is research and development;
- E. The name of the federal awarding agency;
- F. The requirements imposed on the Contractor by federal laws and regulations; and
- G. The requirements imposed on the Contractor by any federal grant agreements or contract provisions to which the funds are subject.

If some of the information in A-E above is not available, include the best information available to describe the federal award.